

From: Kenneth Cox
To: Microsoft ATR
Date: 1/18/02 5:29pm
Subject: Microsoft Settlement: When?

Dear Mr.. Attorney General,

After reading the proposed court settlement with Microsoft and the DOJ, then finding out that several states have rejected it, including my own (California) I was very surprised and disappointed.

I have sent correspondence to Dianne Feinstein and Representative Cox; relating to this issue several months ago and got an answer from Mrs. Feinstein that was baffling and convinced me that some of our elected officials do not seem to have a firm understanding about the nature of the software business and the impact their decisions can make.

Representative Cox on the other hand seemed to have a ready grasp of the issues and didn't sound like he was preaching from a soap box. I keep hearing rhetoric from the same people and those same people just seem to be not dealing with the realistic issues presented them several times such as innovation impact, property rights, economic impact and so on.

This is insane and must stop.

I am a programmer, but more importantly, as a citizen who believes in democracy and capitalism, I support the idea that any company, not just Microsoft should be allowed to keep their intellectual property under lock and key and protected as well as also be allowed to ensure that products designed to work for and with their systems do so without interfering with the normal intended use that system. Anything less is questionable and brings us back to the days when we had no integration or support from big software companies and we were forced to buy a myriad of products both hardware and software to get things to work; none of which could "talk" to each other. Fragmenting Microsoft and/or the browser will effectively roll back years of work many of us as platform developers have put in to deliver value and line of business applications for our end customers.

I work for a very large insurance company in Southern California, our customers have grown to appreciate the speed and flexibility with which we have provided in bringing them new applications such as the ability to download their Fund Performance values for their insurance product. This is because we are able to develop them faster because of tight integration used by Microsoft in their products and the use of Platform technology by Microsoft.

Without increased interoperability of compatible systems and tight integration with operating system products from the same vendor we end up fragmenting a whole industry that has grown up around this idea. In addition, there is a whole cottage industry built around Windows that as developers allows us to free ourselves from "rolling our own software" and focus on delivering value and needed critical line of business applications for our customers; capitalizing on integration and features only found in Windows components and Windows operating systems; most of which is dependant on the Internet which is why Internet Explorer platform development is so critical to our continued success as programmers and company.

Last, we would never require that Ford Motor Company ensure that a Chevrolet engine fit and be compatible with Ford products and that is essentially what we are talking about.

The internet browser has been hailed as an accessory, but in fact Microsoft has integrated that into the operating system to take advantage of features only present in Windows, and not other systems. Netscape tried to integrate their browser into Windows but failed because of course, that's like Chevrolet buying Ford engines and selling brand new cars as Chevy's, with Ford engines. Who is going to be responsible for the engine? If we take it back to Chevy will they tell us it's Ford's problem? If Ford didn't agree to support the engine if Chevy did this, will Chevy be responsible?

This is the potentially weird situation we find ourselves in with this browser issue. It is part of the operating system much like Bank Of America owns all of their own ATM machines, do you think they should be forced to carry Wells Fargo ATM's so they can get a cut of the transaction fee? I don't see this as any different and set's a bad precedent for future development.

No one should have to argue this, it's marketing 101. It's the thing that separates a good operating system from a great one.

I speak for many developers who would like to see this come to a successful conclusion so that we can continue to build web enabled applications for our customers without worrying if we are going to have to change hats and become support personnel for the fragmentation that will surely follow if hold out states get their way and the loss of jobs this would cause because of stifled innovation.

Respectfully Submitted,

Kenneth W. Cox

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